PTO/SB/21 (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE work Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/810,962 **TRANSMITTAL** Filing Date 03/26/2004 **FORM** First Named Inventor Rueckes et al. Art Unit 2818 (to be used for all correspondence after initial filing) **Examiner Name TBA** Attorney Docket Number 112020.145US2 NAN-21 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to Group Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a **Proprietary Information** After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): - Postcard Request for Refund **Express Abandonment Request** CD. Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) 1. PTO Form 1449 (1 pg.) 2. One (1) Publication Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Michael A. Diener Individual name Signature Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Tina M. Dougal Date Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

RUECKES, et al.

Application No.:

10/810,962

Examiner: TBA

Filed:

March 26, 2004

Group Art Unit: 2818

For:

NRAM Bit Selectable Two-Device Nanotube Array

Atty. Docket No.:

112020.145US2 NAN-21

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

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Tina M. Dougal

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449.

This Information Disclosure Statement is being filed prior to the mailing date of a first Office Action on the merits. No certification or fee is believed to be due. If, however, a fee is due, please charge our Deposit Account No. 08-0219.

Application No. 10/810,962 RUECKES, et al. Page 2

Only a copy of the foreign publication is enclosed. Copies of the U.S. publications can be provided upon request.

Applicants request that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next communication.

Respectfully submitted,

Dated: April <u>13</u>, 2005

Michael A. Diener Registration No. 37,122 Attorney for Applicants

Wilmer Cutler Pickering Hale and Dorr LLP 60 State Street Boston, Massachusetts 02109 617-526-6000 (telephone) 617-526-5000 (facsimile) Under the Panerwork Reduction Act of 1995, no person are required to respond to a collection of information unless it contains a valid OMR control number

Substitute for form 1449/PTO	Complete if Known		
NFORMATION DISCLOSURE	Application No.	10/810,962	
STATEMENT BY APPLICANT	Filing Date	March 26, 2004	
APR 1 5 2005 (Use as many sheets as necessary)	First Named Inventor	RUECKES, et al.	
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	Examiner Name	TBA	
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Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2(f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,548,841	04-15-2003	FRAZIER et al.	
		US-6,803,840	10-12-2004	HUNT et al.	
		US-6,809,465	10-26-2004	JIN	
		US-			
		FOF	REIGN PATENT DOC		
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2(f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		WO 04/065657	08-05-2004	Nantero, Inc.	
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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	

Examiner	Date	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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